

## BROADCAST

DATE: October 10, 2014

TO: Local Departments of Social Services Directors  
Adoption Supervisors and Staff  
Foster Care Supervisors and Staff  
Resource Specialists

FROM: Margaret Ross Schultze, Commissioner

SUBJECT: Impact of Same-Sex Court Ruling on Adoption and Foster Care

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On October 6, 2014, the Supreme Court declined to hear the appeal related to Virginia's statutory and constitutional bans on same-sex marriage. As a result of that decision, the Fourth Circuit Court of Appeals mandated that its decision determining those bans to be unconstitutional became effective. In other words, Virginia now recognizes and allows same-sex marriage.

We take this opportunity to let you know how the court decision impacts the approval of foster and adoptive homes. When determining the appropriateness of a foster or adoptive home, Virginia, in response to the Fourth Circuit ruling, now recognizes any legally-performed marriage (same-sex or opposite-sex), whether performed in Virginia or another state. This ruling does not confer legal status to civil unions or domestic partnerships. Any married couple is a married couple for purposes of adoptive placements in accordance with Virginia Code [§ 63.2-1225](#).

We are in the process of reviewing all applicable statutes and regulations to determine what amendments need to be made. Additional information will be shared as it becomes available.